

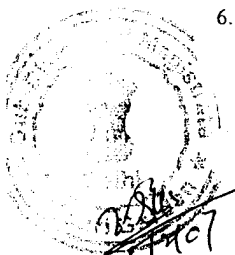
amount of Rs. 5,00,000 sent to AFL by ~~noose~~ Number One, also belonged to her in part.



### INTRODUCTION

5. This is a case of first impression before this Honourable Court. The crucial referenced case before this Hon'ble Court is the California, U.S.A., Case of Padam Kumar Khanna v. State Bar of California, Supreme Court case No. S141019, decided by summary disposal of the Petition of Padam Khanna on June 21, 2006. It is a historical case which challenges the capricious and arbitrary condemning of a duly registered Indian company by a non judicial referee of the State Bar Court of the State of California. As the California Supreme neither granted a hearing nor gave any written opinion in this matter, the decision of the State Bar Court was held to be the final decision of the Supreme Court of California itself. This decision, unprecedented even in the United States courts, violates the very basic principles of jurisdiction, service of notices and processes and right to a judicial hearing under our judicial system. Furthermore, by committing serious acts of Perjury, Falsification of Evidence and Abuse of Process, Defendants Jagjit Randhawa and Baljit Randhawa, herein after referred to collectively as 'Randhawas', have deliberately, knowingly, wantonly and with total disregards to the truth and veracity, have subjected Plaintiff to world-wide disgrace, shame, ridicule, hatred and slander *per se*.

6. The Supreme Court of California, the highest court of the state has absolute jurisdiction over the State Bar Court. After the decision of the judge of the State Bar Court, the Supreme Court summarily affirmed the said decision. It is not clear whether the Supreme Court read or vetted the documents presented at the trial at the State Bar Court level or not but by summary disposal, the decision is allowed to stand as the decision of the Supreme



43 5/10/07  
VIJAY DATTA  
Sub Divisional Magistrate  
Rajouri Garden,  
School Complex,  
110035

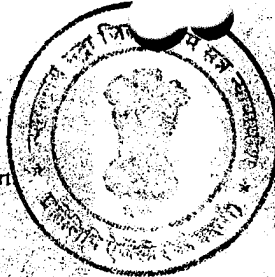
विजय दत्ता  
27/10/07  
तिथि 27/10/07  
जोय कर्ता

17 FEB 2002

सं० २०११ दिनांक .....  
 No. .... Date .....  
 अतिरिक्त निवा मजिस्ट्रेट / जन डिविजनल  
 मजिस्ट्रेट / जर्नल के मजिस्ट्रेट / विवाह  
 मजिस्ट्रेट / न्यायाधीश के अदालत  
 सत्यमित मिश्र जी.पी.  
 The Signature of J.A./D.M.(Executive)  
 Magistrate / Registrar of Marriage  
 Mainland Attested



(संजीव मन्चंडा)  
 (SANJEEV MANCHANDA)  
 अनुभाग अधिकारी (ओ०आई०)  
 Section Officer (O.I.)  
 वीपीवी प्रभाग/CPV Division  
 विदेश मंत्रालय, नई दिल्ली  
 Min. of External Affairs, New Delhi



- 4 -

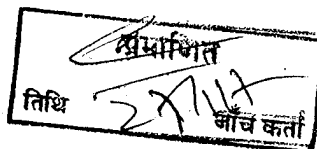
Court. It is very bizarre and outrageous action by the Supreme Court. As the facts and the law of this case stand, by summary affirmation it has overruled a number of its own cases, positively set precedents of denial of due process of law both of liberty and property to the petitioner, has directly ridiculed, debased, defamed and attacked Amerindia Foods Limited, a duly registered company of India which was neither a party in the proceedings nor was ever served with summons and complaint. Plaintiff humbly requests this Court to protect the honour, dignity and mere survival of a small Indian duly registered corporation from this published decision which has blatantly and discriminatively been ridiculed, slandered and libeled *per se* in the Court of California, U.S.A., which had no jurisdiction over our Indian corporation. Leave alone the issue of jurisdiction, the California High Court did not even consider the following basic legal principles, prevalent in almost all civilized and decent democratic countries.

- A. No complaint or summons were ever filed, issued or served on our corporation. [It is not that our Indian Courts only serve the defendants with proper summons and complaint, the California Courts also require service of summons and complaint before any judgment is passed. See California Code of Civil Procedure.]
- B. No opportunity to defend or be heard was accorded to AFL.
- C. Officers of our corporation were labeled as dishonest, conniving, liars and untrustworthy persons *in absentia*.
- D. Duly stamped copies by the Registrar of Companies of the State of Andhra Pradesh of a) Certificate of Incorporation and b) Commencement of Business Certificate were summarily rejected as sham and thus dishonoured by the California Court without any proof or explanation whatsoever.
- E. were allowed by the sitting referee of the State Bar Court where the three days trial was held to

4



**VIJAY DATTA**  
Sub Divisional Magistrate  
Rajouri Garden,  
Old Middle School Complex,  
Rampura, Delhi-110035



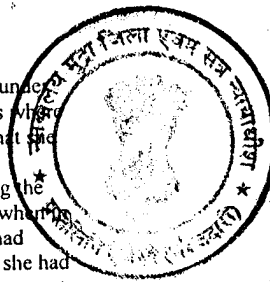
सं० 20175 दिनांक 17 FEB 2007  
 No. 20175 Date 17 FEB 2007  
 अतिरिक्त सचिव, पुलिस / जय डिविजनल  
 मजिस्ट्रेट / जय डिविजनल / विवाह  
 रजिस्ट्रार / जय डिविजनल के द्वारा पार  
 सत्यपित किया जाता है।  
 The Signature of A.O./S.O. (Executive)  
 Magistrate / Registrar of Marriage  
 Magistrate attested



(सजीव मनचन्दा)  
 SANJEEV MANCHANDA  
 अनुमान अधिकारी (नो-बाई-0)  
 Section Officer (O.I.)  
 डीपीवी प्रभाग/CPV Division  
 विदेश मंत्रालय, नई दिल्ली  
 Min. of External Affairs, New Delhi

- 5 -

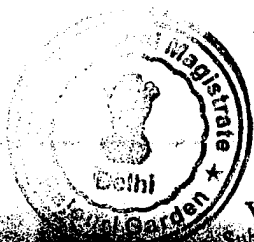
tell incredulous and totally unbelievable lies under oath. A direct and mind-boggling example is where Defendant Two, Baljit Randhawa, testified that she drove a car for the First Time in her life on California Freeways all by herself on reaching the country from her village in Punjab on a visa where another court affidavit she testified that she had never ever driven a car not even in India and she had no license. [It is an established fact that even expert drivers from India are very careful in driving on the Freeways of America because of keeping to the right of the road and the steering wheel of American cars is on the left side of the road. The State Bar Court judge WAS FULLY COGNIZANT OF THIS FACT and yet she ignored it and by implication believed Defendant Two. Because the California Supreme Court summarily denied judicial hearing and written opinion, the State Bar Court judge's opinion is now the standing judgment. Over ONE BILLION people of our country are going to be in awe and would never believe such fabricated story – a village girl from Amritsar, who had never driven a car, got behind a parked car on the streets of San Francisco, California, on arrival into the country and took off on the Freeways..



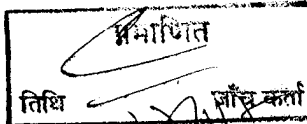
- F. There are seventeen instances of lies and contradictions of both defendants stated under oath in both the depositions and the trial. These instances are well documented and shall be presented to this Honourable Court at the time of trial.

#### STATEMENT OF FACTS

7. Mr. Padam Kumar Khanna, hereinafter referred to as 'Mr. Khanna', an attorney in the State of California, was retained by AFL in November 1995 to negotiate purchase of food processing machinery from the United States and Italy for our new plant, to be constructed, in Nasik.
8. Early 1996, Mr. Khanna had a client, named Jagjit Singh Randhawa who hailed from India. In September 1996, Randhawa approached Mr. Khanna
9. On September 17<sup>th</sup>, 1996, our Chairman and General Counsel, Mr. Chiter S. Khanna, Advocate of Supreme Court of India met with



VJAY DATTA  
Sub Divisional Magistrate



7 FEB 2007

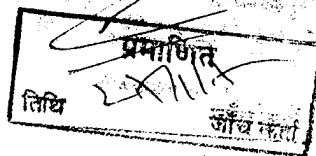
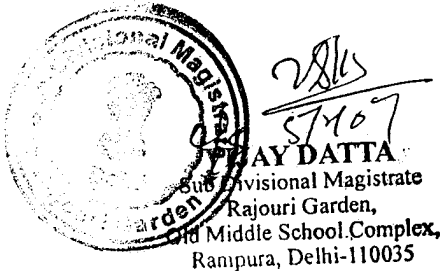
सं० 20134 दिनांक 7 FEB 2007  
 No. ....  
 अतिरिक्त निवाह अधिकारी / सत्र डिविजनल  
 मजिस्ट्रेट / जज (न्याय) / निवाह  
 रजिस्ट्रार / न्यायाधीश के द्वारा  
 सत्यपित किया गया है।  
 The Signature of SOA/SDM (Executive)  
 Magistrate / Registrar of Marriage /  
 Mamladar attested



(संजीव मनचंदा)  
 SANJEEV MANCHANDA  
 अनुमान अधिकारी (सी.डी.)  
 Section Officer (C.D.)  
 सीपीवी प्रभाग/CPV Division  
 विदेश मंत्रालय, नई दिल्ली  
 Min. of External Affairs, New Delhi

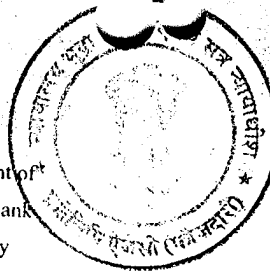
Mr. Rachhpal Singh, hereinafter referred to as 'Singh', brother in law of Randhawa at Hilton Hotel, Barakhamba Road, New Delhi. Singh needed help in immigration issue and stated to Mr. Chiter Khanna that he had to migrate to U.S.A. as soon as possible. The meeting was set up through Mr. Padam Khanna of California who had given instructions to Defendants Randhawas in the United States. A copy of said instructions is attached herewith as ANNEXTURE 6.

10. During this meeting Singh learned about AFL and its connection with Mr. Khanna, his brother-in-law's lawyer. Singh enquired from Mr. Chiter S. Khanna whether he or his brother-in-law could invest in AFL. Mr. Chiter Khanna advised that he did not see any problem in an Indian citizen investing in an Indian company. Three days later Singh visited AFL's offices in Nasik and received the investment application.
11. On or about November 18, 1996, AFL was informed by Mr. Khanna that one of his client, Mr. Jagjit Singh Randhawa, hereinafter referred to as 'Randhawa', had deposited \$16,000 U.S. Dollars in Khanna Foods, USA, dormant account. Khanna Foods account was set up in the USA exclusively for dealing with AFL and for no other purpose. Khanna Foods account number was duly registered with the Reserve Bank of India for receiving royalties and payments in U.S. dollars. Mr. Khanna informed AFL that this deposit was made by Randhawa without his knowledge.
12. On learning about this deposit, AFL consulted its lawyers in India and Reserve Bank of India consultants and advisors. AFL was advised as follows:  
"The Foreign Exchange Regulation Act, 1973 (FERA) as amended strictly disapproved hard currency investments by foreigners in an Indian Public Limited Company such as AFL."



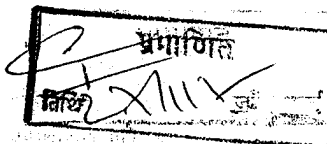
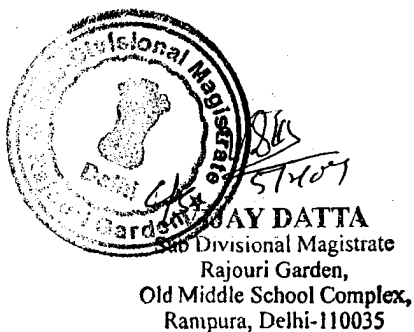
7 FEB 2007





13. Mr. Khanna was, therefore, advised to remit the said investment of \$16,000 to AFL's Bank Account Number 12457 at the Union Bank of India at Nasik City - 422 001, Maharashtra. Mr. Khanna duly deposited this sum on or about November 25<sup>th</sup>, 2006 which was finally deposited on the books of AFL on 30<sup>th</sup> December, 1996. At that point in time, \$16,000 amounted to approximately Rs. 5,52,000. After other extraordinary bank and overseas transfer fees etc., a sum of Rs. 5,00,000 was duly deposited in the account of Shri Jagjit Singh Randhawa in the books of AFL. See ANNEXTURE 5.
14. AFL, as an Indian corporation was duty bound to obey, honour and follow the laws of its land. Therefore, AFL advised Mr. Khanna that after informing the Reserve Bank of India about this unsolicited and illegal investment, it will duly refund the money to Randhawa.
15. In accordance with the company practice, AFL, Director of Finance, Shri Suresh Bhatia, duly acknowledged the receipt of \$16,000 amounting to Rs. Five Lakhs and Fifty Two Thousand only (Rs.5,52,000) on 21<sup>st</sup> December, 1997. This letter was mailed by regular airmail, postage prepaid to Randhawa's address in El Cerrito, California- 2023 Key Boulevard Street. An office copy of AFL letter is attached herewith as ANNEXTURE 7.
16. In January, 1997, Randhawaa called AFL from United States and stated that his brother in-law, Singh, would remit the other Rs.5,00,000 because of his mistake of depositing \$16,000 in Khanna Foods, USA so that all transaction are proper and legal according to Reserve Bank of India. AFL officer who talked to Randhawa would testify before this Hon'ble Court under oath.
17. In July, 1997, one of AFL's officers, Mr. Arthur Berg met with Randhawa in the Berkeley, California offices of Mr. Padam

7

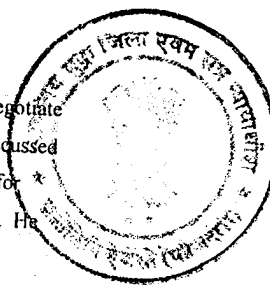


सं० - 2012 दिनांक 17 FEB 2007  
 No. ....  
 अनिश्चित दिनांक / सचिव डिप्टी जनरल  
 मंत्रालय / जनसंख्या व परिवार / विवाह  
 रजिस्ट्रार / न्यायपालिका के द्वारा  
 सत्यपित किया जा रहा है।  
 The Signature of M/s. M/CPV (Executive)  
 Magistrate / Registrar of Marriage /  
 Magistrate Attested



(संजीव मन्चंद)  
 (SANJEEV MANCHANDA)  
 अनुमान मन्त्रालय (ओ.आई.)  
 Section Officer (O.I.)  
 वीपीसी प्रभाग/CPV Division  
 विदेश मन्त्रालय, नई दिल्ली  
 Min. of External Affairs, New Delhi

- 8 -

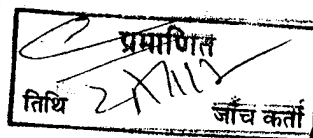


Khanna where AFL had set up temporary arrangement to negotiate purchase of machinery. Randhawa investment was duly discussed and he was informed that he had to fill certain applications for purchase of shares as required by the Reserve Bank of India. He was given those forms. Randhawa also discussed the job application of his brother-in-law and his friend with AFL. A tentative offer of employment was made by Mr. Berg and a letter was issued which on July 7, 1997 which is attached herewith as ANNEXTURE 8. It should be pointed out to this Hon'ble Court that there is a typographical error in the date of the letter which reads July 7, 1007 instead of 1997. Mr. Arthur Berg is ready to testify before this Hon'ble Court about his meeting with Randhawa and the subsequent offer of employment.

18. Sometime in September, 1997, Singh called Mr. Virender Kumar, Secretary Corporate Affairs in Nasik and promised remittance of another Rs. 5,00,000 for the account of Randhawa to make his total investment as Rs. 10,00,000. [Mr. Virender Kumar is unsure of the exact date. However, he can testify that it was prior to 19<sup>th</sup> of September, 1997.] On 19<sup>th</sup> September, Mr. Virender Kumar issued a letter to Randhawa at his work place and informed him that on the strength of his brother-in-law's promise of remittance of another Rs. 5,00,000, and completion of application and approval of Reserve Bank, he would be issued AFL stock worth Rs. 10,00,000. This letter is attached herewith as ANNEXTURE 9.
19. No remittance was ever received by either Randhawa or Singh ever since.
20. During the period of 1997 and up to February 2003 there were severe financial problems were faced by AFL management including delivery of machinery from abroad and the problem of agricultural land owned by AFL in Nasik. Nasik offices were temporarily closed in March 2003.



VIJAY DATTA  
Sub Divisional Magistrate  
Rajouri Garden,  
Old Middle School Complex,  
Rampura, Delhi-110035

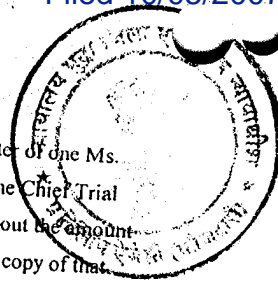


सं० २०/११ दिनांक २७ FEB 2002  
 No. ....  
 अनिश्चित मितः मजिस्ट्रेट / जय डिविजनल  
 मजिस्ट्रेट / अनिश्चित मजिस्ट्रेट / विवाह  
 मजिस्ट्रेट / नाम वसुध के हस्तक्षर  
 सत्य पित किये जा रहे हैं।  
 The Signature of SD J/SD MI (Executive)  
 Magistrate / Registrar of marriage  
 Magistrate attested



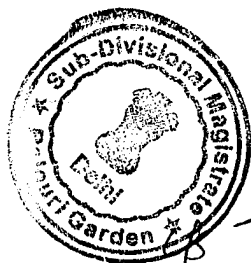
(संजीव मन्चन्दा)  
 (SANJEEV MANCHANDA)  
 अनुपात अधिकारी (ओ.आई.)  
 Section Officer (O.I.)  
 सीपीवी प्रभाग/CPV Division  
 विदेश मंत्रालय, नई दिल्ली  
 Min. of External Affairs, New Delhi

-9-

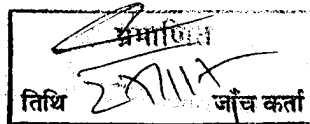


21. In September 2003, AFL received a redirected letter of one Ms. Alice Verstegen, Senior Investigator of Office of the Chief Trial Counsel of the State Bar of California enquiring about the amount of \$16,000 as investment in AFL by Randhawa. A copy of that letter is attached herewith as ANNEXTURE 10.
22. Immediately on receipt of this letter, Mr. Chiter Khanna, as the acting Chairman of AFL along with Mr. Kanwal Khanna, the addressee of The State Bar of California's letter replied IN DETAIL ALL THE QUESTION. A reading of this letter, ANNEXTURE 11, is extremely important as it clearly and unequivocally affirms the correspondence and telephone conversations between Randhawa and AFL and it chronologically details the relationship. Because AFL had not received any reply to its previous letters to Randhawa at his previous address of El Cerrito, California and even to AFL's letter addressed to his work place, AFL sent this important letter duly signed by both officers after discussing it at AFL's Board Meeting, AFL made sure to have a record of this letter. Therefore, AFL, in accordance with the international practice of receipt enclosed the letter in an envelop and placed the envelop in a DHL COVER and sent it to the State Bar of California addressed to Ms. Alice Verstegen, Special Investigator on 17 September, 2003. A true copy of the said Airway Bill, Number 190179750 is attached herewith a ANNEXTURE 12
23. The State Bar of California Prosecutor in a most bizarre, outré, illegal and unethical manner destroyed, hid or withheld the DHL Cover during the trial before the State Bar Court judge and stated that there was NO DHL cover and that AFL NEVER mailed that letter from India. Prosecutor placed the enclosed ordinary envelop containing the letter of AFL and displayed surprise about the appearance of the letter at the desk of the Special Investigator. To add insult to the injury, the Special Investigator also testified that

9

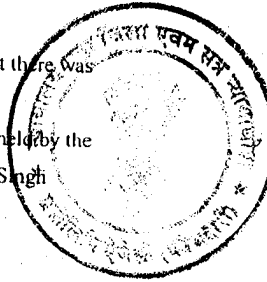


VIJAY DATTA  
Sub Divisional Magistrate  
Rajouri Garden,  
Old Middle School Complex,  
Rampura, Delhi-110035





the said letter mysteriously appeared at her desk and that there was no DHL Cover to it. The DHL Cover was intentionally, deliberately, knowingly and wantonly destroyed or withheld by the Prosecutor in criminal conspiracy with defendant Jagjit Singh Randhawa.



### CAUSES OF ACTION

#### I. a. Giving and Fabricating false Evidence:

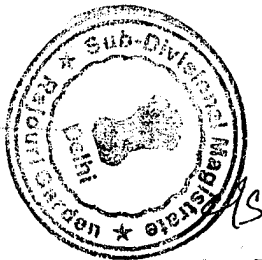
Section 191 of the Indian Penal Code states that whoever, being legally bound by an oath or by an express provision of law to state the truth, or by being bound by law to make a declaration upon any subject, makes any statement which is false, and which he either knows or believes to be false or does not believe to be true, is said to give false evidence.

By making untrue and fabricating statements, under oath and before the Court as a witness, Randhawas have committed criminal offence under IPC Section 191. A glaring example of one of such acts is Jagjit Randhawa's statement to the Court that Amerindia is a non-existent and a sham corporation, not incorporated in India and that he had neither received any correspondence nor communicated with its officers. [Officers of Amerindia are standing by to testify otherwise before this Hon'ble Court.

#### b. Fabricating false evidence:

Section 192 of the Indian Penal Code states that whoever causes any circumstances to exist or makes any false entry in any book or record, or makes any document containing a false statement, may appear in evidence in a judicial proceeding, or in a proceeding taken by law before a public servant as such, or before an arbitrator, and that such circumstance, false entry or false statement, so appearing in evidence, may cause any person who in such proceeding is to form an opinion upon the evidence, to certain an erroneous opinion touching any point material to the result of such proceeding, is said 'to fabricate false evidence'.

10



**VIJAY DATTA**  
Sub Divisional Magistrate  
Rajouri Garden,  
Old Middle School Complex,  
Ranipura, Delhi-110035



सं. 20169 दिनांक 7 FEB 2007  
No. 20169  
अतिरिक्त सचिव, विदेश / जन कल्याण  
सचिव / जन कल्याण / सचिव / सचिव  
सचिव / जन कल्याण / सचिव / सचिव  
सचिव / जन कल्याण / सचिव / सचिव  
To: (Executive)  
Minister of External Affairs  
Minister of External Affairs



(संजीव मन्चन्दा)  
SANJEEV MANCHANDA  
संयोजक सचिव (ओ.आई.)  
Section Officer (O.I.)  
वीपीडी प्रभाग/CPV Division  
विदेश मंत्रालय, नई दिल्ली  
Min. of External Affairs, New Delhi



By filing a false complaint with the State Bar of California with allegations that they had not received the Stock Certificate from Amerindia, Randhawas have committed a Criminal Offence under Section 192 of IPC.



**c. Punishment for false evidence:**

Section 193 of the Indian Penal Code states that whoever intentionally gives false evidence in any stage of a judicial proceeding, or fabricates false evidence for the purpose of being used in any stage of a judicial proceeding, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable for fine.

As there is an ample proof, supported by fully authenticated documents, this Court has the proper jurisdiction to impose the maximum penalty of imprisonment of full seven years upon Randhawas. Their various deliberate criminal acts have caused a very severe economic and irreparable harm and injury to Amerindia and this Hon'ble Court must impart justice.

**II. Criminal Conspiracy:**

Section 120A of the Indian Penal Code states that when two or more persons agree to do, or cause to be done (1) an illegal act, or (2) an act which is not illegal by illegal means, such an agreement is designated a criminal conspiracy provided that no agreement except an agreement to commit an offence shall amount to criminal conspiracy unless some act besides the agreement is done by one or more parties to such agreement in pursuance thereof.

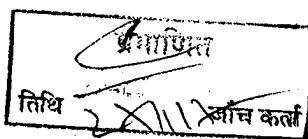
Section 120B read with sections 471 and 420 of the Indian Penal Code proscribes punishment for conspiring to use forged documents and thereby obtain a conviction based upon false and fabricated documents.

By conspiring with the State Bar Prosecutor to destroy the crucial evidence of DHL Cover; to hide the fact that Amerindia never issued stock certificate and concealing the stock certificate in secret illegal

11



28/10/07  
VIJAY DATTA  
Sub Divisional Magistrate  
Rajouri Garden,  
Old Middle School Complex,  
Rampura, Delhi-110035



7 FEB 2007

सं. 20168

दिनांक

No.

व्यक्तिगत विभाग/सिस्टम / पत्र विविजनल

मजिस्ट्रेट / न्यायाधीश / विवाह

मजिस्ट्रेट / न्यायाधीश / विवाह

सत्य पितृ विभाग

The Signatory of the (Executive)

Magistrate / (Sanjeev Manchanda)

Section Officer (O.I.)

वीरवी प्रसाद/CPV Division

विदेश मंत्रालय, नई दिल्ली  
Min. of External Affairs, New Delhi



- 12 -

agreement with the Prosecutor with a clear criminal intent to harm and injure Amerindia, Randhawas have committed Criminal Conspiracy as defined in our Penal Code and made abundantly clear by our courts in India.



### III. Abuse of process:

Sections 206 to 211 of the Indian Penal Code provide punishment for abuse of process of courts. Section 206 particularly makes fraudulent withdrawal or concealment, transfer or removal of property so as to defeat the just claims of those who may have a right in it, a non-cognisable offence.

By intentional and deliberate actions undertaken by Randhawas before the State Bar of California and such actions summarily declared as admissible against Amerindia, Defendants have abused the process of court and as such must be punished to the degree which this Hon'ble and just Court deems fit.

After the criminal sanctions and damages, the most important issue before this Hon'ble Court is the validity of the Decision of the State Bar Court, ANNEXTURE 13, attached herein and made a part hereof. This Decision which though rendered by a State Bar Court judge has become the final decision because of the summary disposal by the Supreme Court of California. It has become a Public Matter and can be viewed by anyone in this world on the internet.

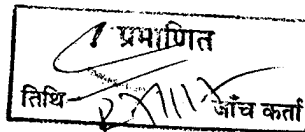
It is an extremely contradictory decision. Here the judge of the State Bar Court, Pat McElroy, blasts AFL as a sham corporation

"In fact, the Randhawas were never given any interest in AFL." (Dec. p.12. Lines 13-14). This statement is not true. Randhawas hold 50,000 shares of AFL under Certificate of Shares Number 8. This fact was

12



4/8  
28/10/07  
VIJAY DATTA  
Sub Divisional Magistrate  
Rajouri Garden,  
Old Middle School Complex,  
Rampura, Delhi-110035



सं. 20167 दिनांक 7 FEB 2007  
No. 20167 Date 7 FEB 2007  
अतिरिक्त विभा. अधिकारी / सच. डिविजनल  
मजिस्ट्रेट / जर्नल ऑफिसर / विवाह  
रजिस्ट्रार / न्याय शाखा के प्रमुख  
सह. गित वि. न्याय शाखा  
The Signature of the J.O. (Executive)  
Magistrate / Registrar of Marriage /  
Mainland attested



(संजीव मन्चन्दा)  
(SANJEEV MANCHANDA)  
अनुभाग अधिकारी (ओ.आई.)  
Section Officer (O.I.)  
ओपीडी प्रभाग/CPV Division  
विदेश मंत्रालय, नई दिल्ली  
Min. of External Affairs, New Delhi

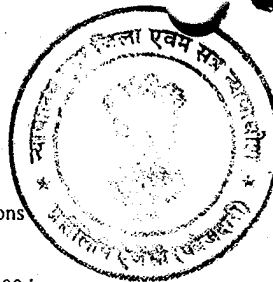
known to Randhawas and either not communicated to the Court or withheld by the Prosecutor.

"[There is] no banking statements to support the banking transactions among AFL." (Dec. p. 23. Lines 4-5). This statement is not true. ANNEXTURE 5 clearly shows a banking transaction of Rs. 5,00,000 in the name of Jagjit Singh. This document was withheld by the Randhawas and the Prosecutor from the Court.

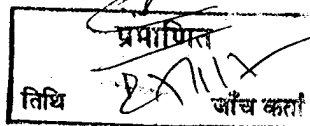
"Despite Respondent's and AFL's repeated promises and Jagjit's constant inquiries regarding AFL stock, to date, the Randhawas have not received a single stock certificate or any evidence of their investment." (Dec. p. 6. Lines 7-9) How can this statement be made a public matter which clearly slanders AFL when in fact the Randhawas DID receive the stock certificate. It is an extremely prejudicial and degrading statement and must be PERMANENTLY enjoined by this Hon'ble Court.

This Decision is full of inconsistencies, contradictions and insults to AFL and its officers. The State Bar Court judge knew these facts to be false or should have known them to be false. Yet, she made this decision on extremely flimsy and non-existent and concealed facts without issuing a complaint, summons and any notice, whatsoever, for a hearing and presentation of defense to the severe and degrading comments made public.

The most damaging statement which this Decision makes as to AFL is the statement that AFL had prepared an 'Investment Brochure' (Emphasis added) which the Randhawas reviewed and on that reliance invested in AFL. This statement subjects AFL to CRIMINAL SANCTIONS AND PENALTIES under our SEBI Regulations and FERA (1973) now FEMA. As is very clear AFL never issued any such brochure. The Court has NOT seen any such brochure as no such brochure ever existed.



28/10/07  
VIJAY DATTA  
Sub Divisional Magistrate  
Rajouri Garden,  
Old Middle School Complex,  
Ranipura, Delhi-110035



सं. 20166 दिनांक 7 FEB 2007

No. ....

अतिरिक्त विभाग अधिकारी / सचिव डिप्लोमेटिक

मंत्रालय / राज्य मंत्रालय / विवाह

नियंत्रण / न्यायपालिका के तहत

सत्यपित सिद्ध नहीं है।

The Signature of the /SDM/(Executive)

Magistrate / Registrar of Marriage /

Mamlatdar Attested



(संजीव मन्चन्दा)  
(SANJEEV MANCHANDA)  
सचिवान अधिकारी (ओ.आई.)  
Section Officer (O.I.)  
सीपीवी प्रभाग/CPV Division  
विदेश मंत्रालय, नई दिल्ली  
Min. of External Affairs, New Delhi

It is, therefore, before this Hon'ble Court to prevent this injustice to its citizens imparted by a foreign judge who based her decision of absolutely false and non-existent evidence.

### JURISDICTION

This Court have full, clear and proper jurisdiction over both 'Comp' and 'Accident'. Jurisdiction over 'Comp', Amerindia is invoked as it is an Indian company which has offices in New Delhi. Jurisdiction over 'Accident' is hereby invoked for the following three factors:

- i) The business was conducted in New Delhi
- ii) The transaction was performed in New Delhi,
- iii) The Stock Certificate was issued in New Delhi,

Furthermore, jurisdiction for Criminal Sanctions is invoked through a landmark yet very tragic case of *CBI v. Warren Anderson, Union Carbide*, (1992) Docket R. T. Number 2792 in the Court of Judicial Magistrate, Bhopal under Section 70 of the Code of Criminal Procedure, 1973, Criminal Procedure Act II, 1974.

Jurisdiction is also invoked under *Satya v. Teja Singh* (1975) 1 SCC, 120 A.I.R. 1975, S.C. 105 which held that all judgments, whether domestic or foreign, are void if obtained by fraud. Accordingly, a foreign decree procured by fraud bearing a jurisdictional facts would not be recognized under this section as being contrary to public policy and as offending against notions of substantial justice.

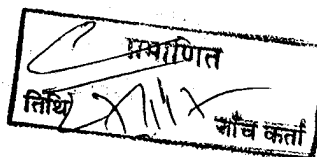
Contemporarily, even under Code of Civil Procedure, Section 20 (c) confers jurisdiction on courts in India over foreigners if the cause of action arises, as here in this case, within the jurisdiction of a particular court in India even in the absence of the foreigner and even where he has not submitted to its jurisdiction, See *Sahib Thambi v. Hamid* (1913) 1 L.R. 36 Mad. 414.



14



28/10/07  
 VIJAY DATTA  
 Sub Divisional Magistrate  
 Rajouri Garden,  
 Old Middle School Complex,  
 Rampura, Delhi-110035



सं० 20185 दिनांक 7 FEB 2007  
No. ....  
अतिरिक्त निदेश अधिकारी / सहाय डिप्टी कमिशनर  
मजिस्ट्रेट / न्यायिक अधिकारी / निवाह  
रजिस्ट्रार / न्यायिक अधिकारी / निवाह  
सत्यपित किया जाता है।  
The Signature of the SDM (Executive)  
Magistrate / Registrar of Marriage /  
Mamlatdar Attested



(संजीव मनचंदा)  
GANJEEV MANCHANDA  
अतिरिक्त अधिकारी (नो.बा.०)  
Section Officer (O.I.)  
प्राथमिक प्रभाग/CPV Division  
विदेश मंत्रालय, नई दिल्ली  
Min. of External Affairs, New Delhi



PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Court may kindly please to take appropriate action against the accused person and also be pleased to direct the concern authority to investigate the matter and also be lodged the FIR in appropriate section against the accused persons. It is further prayed that AFL is legitimate, law-abiding, duly incorporated company registered in India and not a non existent sham corporation and also further prayed that AFL's officer are not lairs and are a respectable Indian who are proud of there heritage and also prayed that the accused Randhawas has been given false evidence before the court undertaking oath as witnesses and also he had fabricated evidence due to gain advantage from that court under taking oath as a witness so the accused persons are liable to punish under appropriate section Indian Penal Code.

And Anyother orders this Hon'ble Court may kindly be pleased which deem fit and proper under the facts and circumstances of the case may also be pleased in favour of complainant and against the accused persons in the interest of justice.

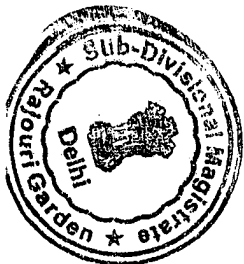
DELHI

DATED: -

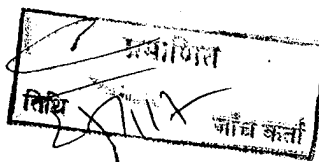
THROUGH

COMPLAINANT

COUNSEL



*VS*  
*5/4/07*  
**VIJAY DATTA**  
 Sub Divisional Magistrate  
 Rajouri Garden,  
 Old Middle School Complex,  
 Ranipura, Delhi-110035



सं० ३०१६५ दिनांक ७ FEB 2007

No. ....  
अतिरिक्त निदेशाधिकारी / सहायक निदेशाधिकारी  
महिलाएं / बालक/बालिका / विवाह  
परिपूरण / न्यायिक न्यायिक न्यायिक  
सत्य निवेदन / सत्य निवेदन  
The Signature of .../SD MI (Executive)  
Magister / Registrar of Marriage  
Mamlandar Attested



(संजीव मन्चंडा)  
(SANJEEV MANCHANDA)  
अध्यापक अधिकारी (ओ०बी०)  
Section Officer (O.I.)  
ओपीवी प्रभाग/CPV Division  
विदेश मंत्रालय, नई दिल्ली  
Min. of External Affairs, New Delhi

- 16 -

IN THE COURT OF SH. ACMM, ROHINI DISTRICT, COURT, DELHI

COMPLAINANT NUMBER \_\_\_\_\_ OF 2006

IN THE MATTER OF:-

M/S Amerindia Foods Limited  
14E/CC Harinagar  
New Delhi 110064

...COMPLAINANT

VERSUS

Sh. Jagjit Singh Randhawa  
395 Sparrow Drive  
Hercules, California  
United States of America

Smt. Baljit Singh Randhawa  
395 Sparrow Drive  
Hercules, California  
United State of America

...ACCUSED PERSONS

## LIST OF DOCUMENTS

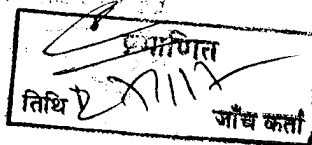
S.NO	DATE	DESCRIPTION	PAGE
1.	30.10.92	Photocopy of certificate of incorporation	17, 18.
2.	03.03.94	Photocopy of Commencement of Business	18.
3.	04.11.06	Photocopy of Resolution of AFL	19.
4.	13.11.03	Photocopy of Share Certificate (Jagjit Randhawa)	20.
5.	30.12.96	Photocopy of Bank Deposit Receipt (Randhawa)	21.
6.	15.09.96	Photocopy Hand Written Note	22.
7.	21.12.96	Photocopy of Director of Finance Letter	23.
8.	07.07.07	Photocopy Arthur Berg Letter	24.
9.	19.09.97	Photocopy Secretary-Corporate Affairs	25, 26.
10.	19.02.03	Photocopy State Bar California Letter	27 to 32.
11.	12.19.03	Photocopy of Chiter Khanna Letter	31.
12.	21.10.04	Photocopy of Decision of State Bar Court	34 to 59.
13.	21.10.04	Photocopy of Decision of State Bar Court	

PLACE: NEW DELHI

DATE: - 11.12.06



**VIJAY DATTA**  
Sub Divisional Magistrate  
Rajouri Garden,  
Old Middle School Complex,  
Rampura, Delhi-110035



सं० 2013 दिनांक .....  
 No. .... Date 17 FEB 2007  
 अतिरिक्त निवा मजिस्ट्रेट / सप्ले डिप्टी मजिस्ट्रेट  
 मजिस्ट्रेट / नॉन जज मजिस्ट्रेट / विवाह  
 रजिस्ट्रार / नॉन जज मजिस्ट्रेट को हस्तक्षर  
 सत्यपित किया जाता है।  
 The Signature of MAM/MDM (Executive)  
 Magistrate / Registrar of Marriage /  
 Mamladar Attested



(संजीव मन्चन्दा)  
 (SANJEEV MANCHANDA)  
 अनुपाय अधिकारी (ओ.आई.)  
 Section Officer (O.I.)  
 वीसीडी प्रभाग/CPV Division  
 विदेश मंत्रालय, नई दिल्ली  
 Min. of External Affairs, New Delhi

12.12.2006



The present case received by the court of assignment from the court of Id ACMM. It be checked and registered as per rules.

Present: Sh C.S. Khanna Id counsel for the complainant company.

Ld counsel for the complainant submits that he is residing within the jurisdiction of P.S Shalimar Bagh that's why P.S Shalimar Bagh has been shown as a concerned P.S in the complaint but the complainant company is having its office at 14 E /CC, Hari Nagar, New Delhi which is within the jurisdiction of P.S Hari Nagar. Ld counsel for the complainant submits that inadvertently he has mentioned the P.S. Shalimar Bagh and the same should have been P.S. Hari Nagar. It is further submitted that it would appropriate and in the interest of justice if the present case is tried by the court who has jurisdiction over P.S. Hari Nagar. A request has been made to sent the case to the court having jurisdiction over P.S. Hari Nagar.

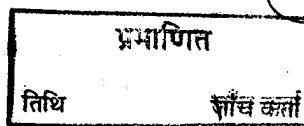
Heard and perused the record. In view of the submission made and at the request of the complainant, let the present file be place before Ld ACMM with a request to assign the present case to the court concerned.

Ahmad is directed to sent the file will in advance for 13.12.2006.



*VS*  
*5/12/07*  
**RAJAY DATTA**  
Sub Divisional Magistrate  
Rajouri Garden,  
Old Middle School Complex,  
Rampura, Delhi-110035

*[Signature]*  
(Rajesh Kumar Goel)  
MM/Delhi /12.12.2006



सं० 20112 दिनांक 7 FEB 2007  
No. .... Date .....  
अतिरिक्त जिला मजिस्ट्रेट / सैन डिविजनल  
मजिस्ट्रेट / कार्रवाई मजिस्ट्रेट / विवाह  
रजिस्ट्रार / न्यायपालिका के दस्तावेज  
सत्यापित किया गया है।  
The Signature of SOJ/SDM (Executive)  
Magistrate / Registrar of marriage /  
Magistrate attested 7 FEB 2007



(संजीव मन्चान्दा)  
(SANJEEV MANCHANDA)  
अनुभाग अधिकारी (विवाह)  
Section Officer (O.I.)  
वीसीवी प्रभाग/CPV Division  
विदेश मंत्रालय, नई दिल्ली  
Min. of External Affairs, New Delhi

CC No.

M/s Amerindia Foods Limited Vs. Shri Jagjit Singh Randhawa & Another

13.12.2006.

Pr:- None for the complainant.

Considering the request of Shri Rajesh Kumar Goel, MM, Rohini, this case is withdrawn from his court and assigned to Shri Manoj Kumar, MM, Rohini for 14.12.2006 (2.00 pm).

Let Ahalmad of the transferor court deliver the file complete in all respect to the Ahalmad of the transferee court today itself.

ACMM/Rohini/Delhi

13.12.2006.

14.12.2006

Case received by way of transfer.  
It be checked & registered.

RE. Sh. C.S. Khanna, counsel for complainant.  
Put up for consideration on 15.12.2006

(MANOJ KUMAR)  
MM Rohini/Delhi  
14.12.2006

15/12/2006

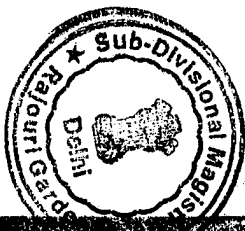
Shri

Sh. C.S. Khanna, counsel  
for complainant

Health partly heard. Put up for further  
consideration and order on 18/12/2006

15/12

CS 286  
5/107



15/12/2006

सं. 246 दिनांक 7 FEB 2002  
No. .... दिनांक .....  
अतिरिक्त विभाग / अतिरिक्त / अतिरिक्त विभाग  
महोदय / जनसंख्या / अतिरिक्त / अतिरिक्त  
रिजिस्ट्रार / जनसंख्या / अतिरिक्त / अतिरिक्त  
सत्य विमल / अतिरिक्त / अतिरिक्त  
The signature of the ..... (Executive)  
Magistrate / Registrar of Marriages  
Mainland, attached



(संजीव मन्चन्दा)  
(SANJEEV MANCHANDA)  
अनुपाय अधिकारी (सो.बा.सं.)  
Section Officer (O.I.)  
जीपीवी प्रभाग/CPV Division  
विदेश मंत्रालय, नई दिल्ली  
Min. of External Affairs, New Delhi



**ATTACHMENT TWO**



**GENERAL AUTHENTICATION CERTIFICATION**

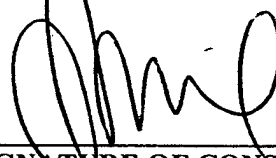
REPUBLIC OF INDIA )  
CITY OF NEW DELHI )  
EMBASSY OF THE UNITED )  
STATES OF AMERICA )

SS:

I certify that the official named below, whose true signature and official seal are, respectively, subscribed and affixed to this document, was, on this day, empowered to action the official capacity designated in the document, to which faith and credit are due.

**SHEKHAR YADAV**

NAME OF INDIVIDUAL



SIGNATURE OF CONSULAR OFFICER

**Patrick McNeill**

Consul

U. S. Embassy

New Delhi, India

COMMISSION EXPIRES: INDEFINITE

NAME/TITLE OF THE OFFICER

**22 FEB 2007**

DATE





IN THE COURT OF SH. ACMM, ROHINI DISTRICT, COURT, DELHI

COMPLAINANT NUMBER \_\_\_\_\_ OF 2006

IN THE MATTER OF: -

M/S Amerindia Foods Limited  
14E/CC Harinagar  
New Delhi 110064

...COMPLAINANT

VERSUS

Sh. Jagjit Singh Randhawa  
395 Sparrow Drive  
Hercules, California  
United States of America

Smt. Baljit Singh Randhawa  
395 Sparrow Drive  
Hercules, California  
United State of America

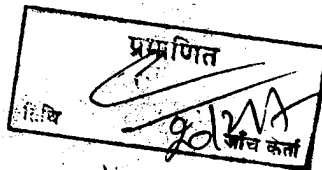
11-12-06  
Filed on 11-12-06  
Ver 10. Sh. Jagjit Singh Randhawa  
Filed 12-12-06

A.C.M.M.  
Dated 11-12-06

...ACCUSED PERSONS

COMPLAINT U/S 156 (3) Cr.P.C READ WITH 420/120B/471/191 OF IPC ON  
BEHALF OF COMPLAINANT.

COMPLAINANT FILED UNDER IPC SECTIONS 191 THROUGH 209  
INCLUSIVE FOR FILING FALSE EVIDENCE AND COMMITTING PERJURY  
UNDER OATH: IPC SECTION 120B. CRIMINAL CONSPIRACY READ WITH  
SS 471 AND 420. IPC FOR CONSPIRING WITH THE STATE BAR OF  
CALIFORNIA, USA. PROSECUTOR TO USE FORGED DOCUMENTS AND IPC  
SECTIONS 206 TO 211, INCLUSIVE, ABUSE OF PROCESS.



21/1/07  
VJAY DATTA  
Sub Divisional Magistrate  
Rajouri Garden,  
Old Middle School Complex,  
Ram Pura, Delhi-110035.

IN THE MATTER OF: S. Amerindia P. CC Ha

MS Amerindia Foods Limited  
14E/CC Harinagar  
New Delhi 110064

**VERSUS**

Sh. Jagjit Singh Randhawa  
395 Sparrow Drive  
Hercules, CA  
United States

1356  
19/210

Saght Singh

2427

सं. 2908 दिनांक 27 FEB 2007  
No. Date

No. \_\_\_\_\_ Date \_\_\_\_\_  
 पतिविकृत निवा / परिवार / स्व द्विजनन  
 परिवार / परिवारी परिवार / विवाह  
 उत्तरित-निवा परिवार  
 MMS number / (Executive)  
 Marriage /

*[Signature]*  
श्री यशद्वय SHEKHAR YASDA  
अनुयाय अधिकारी (ओ.आई.)  
Section Officer (O.I.)  
सीपीडी प्रभाग CPV Division  
विदेश मंत्रालय, नई दिल्ली  
Min. of External Affairs, New Delhi

IN THE COURT OF SH. ACMM, ROHINI DISTRICT, COURT, DELHI

COMPLAINANT NUMBER \_\_\_\_\_ OF 2006

IN THE MATTER OF :-

M/S Amerindia Foods Limited  
14E/CC Harinagar  
New Delhi 110064

...COMPLAINANT

VERSUS:-

Sh. Jagjit Singh Randhawa  
395 Sparrow Drive  
Hercules, California  
United States of America

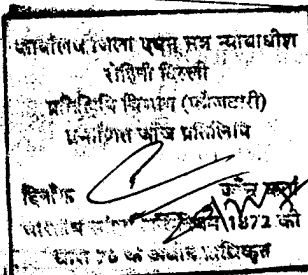
Smt. Baljit Singh Randhawa  
395 Sparrow Drive  
Hercules, California  
United State of America

...ACCUSED PERSONS

LIST OF DOCUMENTS

S.NO	DATE	DESCRIPTION	PAGE
1.	30.10.92	Photocopy of certificate of incorporation	17, 18
2.	03.03.94	Photocopy of Commencement of Business	18
3.	04.11.06	Photocopy of Resolution of AFL	19
4.	13.11.03	Photocopy of Share Certificate (Jagjit Randhawa)	20
5.	30.12.96	Photocopy of Bank Deposit Receipt (Randhawa)	21
6.	15.09.96	Photocopy Hand Written Note	22
7.	21.12.96	Photocopy of Director of Finance Letter	23
8.	07.07.07	Photocopy Arthur Berg Letter	24
9.	19.09.97	Photocopy Secretary-Corporate Affairs	25, 26
10.	19.02.03	Photocopy State Bar California Letter	27 to 32
11.	12.19.03	Photocopy of Chiter Khanna Letter	33
12.	21.10.04	Photocopy of Decision of State Bar Court	34 to 59
13.	21.10.04	Photocopy of Decision of State Bar Court	

PLACE: NEW DELHI  
DATE: - 11.12.06



VS 8/11/07  
VIJAY BATTIA  
Sub Divisional Magistrate  
Rajouri Garden,  
Old Middle School Complex,  
Rampura, Delhi-110055.

REC

ब. २१०५५ दिनांक  
No. .... Date 27 FEB 2007  
अतिरिक्त निवास विवरण  
महिला / पति, पति / महिला  
रिश्ता / पति / महिला / विवाह  
सर्व निवास विवरण  
To : ..... / DMI (Executive)  
Magister of Marriage  
M. ....



शेखर यादव / SHEKHAR YADAV  
अतिरिक्त अधिकारी (सी.आर.डी.)  
Section Officer (O.I.)  
सी.पी.वी. विभाग / CPV Division  
विदेश मंत्रालय, नई दिल्ली  
Min. of External Affairs, New Delhi



ANNEXURE No. 17



गारुप आरु आरु  
Form I.R.

निगमन पर प्रमाण-पत्र

# CERTIFICATE OF INCORPORATION

ता. 01-14978 का म. 92-93  
No. of 19

मे एतद्द्वारा प्रमाणित करता हूँ कि आज

कम्पनी अधिनियम, 1956 ( 1956 का 1 ) के अधिन निर्माणित की गई है और यह कम्पनी परिमिता है।

I hereby certify that AMERINDIA FOODS LIMITED

is this day incorporated under the Companies Act, 1956 (No.1 of 1956) and that the Company is limited.

मेरे हस्ताक्षर से आज ता. को दिया गया।

Given under my hand at HYDERABAD 30th

day of October One thousand nine hundred and Ninety two.

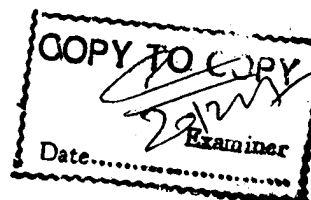
(8th Kartika 1914 saka)



*Handwritten signature*  
P. Rama Rao

P. Rama Rao  
(P. RAMA RAO)  
कम्पनियों का रजिस्ट्रार  
ASST. Registrar of Companies  
Andhra Pradesh.

ANNEXTURE No. 1



*Handwritten signature*  
VIJAY DATTA  
Sub Divisional Magistrate  
Rajouri Garden,  
Old Middle School Co. ex.  
Ram Pura, Delhi-110005.

~~~~~

सं. २१०५ दिनांक १२-१-FEB-2007  
No. 2105 Date 12-1-FEB-2007  
अतिरिक्त निदेश / सत्र विविजनस  
मजिस्ट्रेट / जज / सत्र विविजनस  
रजिस्ट्रार / जज / सत्र विविजनस  
सत्र विविजनस  
To: [Name] / [Address] (Exclusive)  
Main



(सहस्र यादव) SHEKHAR YADAV  
अध्यापक अधिकारी (जी.आई.)  
Section Officer (O.I.)  
वीरवीर शाखा, CPV Division  
विदेशी प्रशासन, नई दिल्ली  
Min. of External Affairs, New Delhi

AN 117

No. 2

- 18 -

Co.No. 01-14978



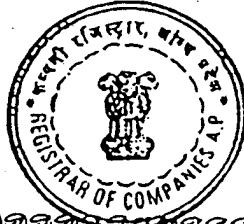
## Certificate for Commencement of Business

Pursuant of Section 149 (3) of the Companies Act, 1956.

I hereby certify that the AMERINDIA FOODS LIMITED

which was incorporated under the Companies Act, 1956, on the 30th  
day of October 1992 and which has this day filed a duly verified  
declaration in this prescribed form that the conditions of section 149 (1) (a) to  
(d)/149(2)(a) to (c) of the said Act, have been complied with is entitled to  
commence business.

Given under my hand at Hyderabad  
this Third day of March One thousand nine  
hundred and Ninety four.



(N.R.SRIDHARAN)

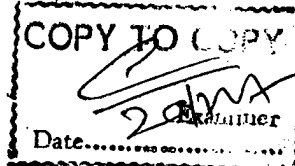
Registrar of Companies

ANDHRA PRADESH:HYDERABAD

J.S.C.-10

ANNEXTURE '2'

ANNEXTURE No. 2



VIJAY DATTA  
Sub Divisional Magistrate  
Rajouri Garden,  
Old Middle School Complex,  
Ram Pura, Delhi-110035.

By: *unani*

company has un

Rajni Dandhar

सं. २९०३ दिनांक १२-१-२००७

No.

अतिरिक्त विभागीय सचिव / सचिव विविजनस

महोदय / महोदय, सचिव / विभागा

परिसर / नया बंगला, नई दिल्ली

सहायक

TH (Executive)

M

Main



(सचिव यादव/SHEKHAR YADAV)

अनुसंधान विभागीय सचिव (सी.आर.डी.)

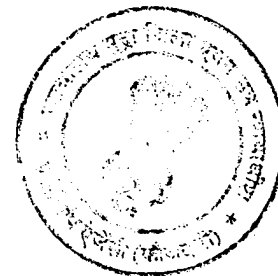
Section Officer (O.I.)

सीपीवी विभाग: CPV Division

विदेश सेवा भवन, नई दिल्ली

Min. of External Affairs, New Delhi

ANNEXTURE No. 3 - 19-



RESOLUTION OF  
AMERINDIA FOODS LIMITED

By unanimous vote, the Board of Directors, hereby passes a Resolution that the company has undertaken to file criminal complaint against Jagjit Singh Randhawa and Baljit Randhawa of California, U.S.A. for committing Criminal Conspiracy, Giving and Fabricating False Evidence, Perjury and Abuse of Process against the company for causing irreparable injury and harm to the company and its officers.

It has also been decided to retain the services of Shree C. S. Khanna as the Lead Advocate and Advocate on Record.

For Amerindia Foods Limited

Managing Director

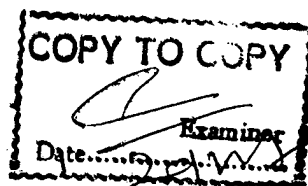
Kanwal Sain

DATED: 8<sup>TH</sup> December, 2006

Managing Director

*Handwritten signature of C. S. Khanna*

ANNEXTURE No. 3



*Handwritten initials o/s*  
*Handwritten date 21/12/07*  
**VIJAY DATTA**  
Sub Divisional Magistrate  
Rajoun Court,  
Old Middle School Complex,  
Ram Pura, Delhi 110035.

Authorised Signatory

ANNEXTURE No. 4

सं. 24051-27 FEB 2007

No. 24051-27  
अतिरिक्त निदेश / सचिव विभाग  
मंत्रालय / विभाग / विभाग  
नियंत्रण / विभाग / विभाग  
सचिव विभाग / विभाग / विभाग  
True copy of the original (Executive)  
Minister / Minister / Minister



(सचिव विभाग) SHEKHAR YADAV  
अनुसंधान अधिकारी (ओ.आई.)  
Section Officer (O.I.)  
ओपीडी प्रभाग CPV Division  
विदेश मंत्रालय, नई दिल्ली  
Min. of External Affairs, New Delhi